



Public Notice

Applicant:

COR Development
Company, LLC

Date:

Published: June 23, 2004

Expires: July 12, 2004

**U.S. Army Corps
of Engineers**

In Reply Refer To:

Buffalo District **CELRB-TD-R** RE: 1999-01440(3) **Section:** NY 404

**Application for Permit under Authority of
Section 404 of the Clean Water Act (33 U.S.C. 1344).**

COR Development Company Inc., 540 Towne Drive, Fayetteville, New York 13066, has applied for a Department of the Army permit to place fill into Federal jurisdiction wetlands in order to construct a shopping center, to be known as the, "Towne Center at Webster". The shopping center is situated on a 92.4 acre parcel, located north of State Route 104 and west of County Route 10 (Holt Road), in the Town of Webster, Monroe County, New York.

The project consists of the following:

a. Approximately 0.848 acres of Federal jurisdiction wetlands will be filled with the construction of the proposed shopping center and associated structures (parking lots, roads, stores). The wetland impacts will occur within one mixed shrub/wooded depressional wetland and one linear wetland and associated riparian area.

b. As mitigation for unavoidable impacts to the riparian area and 1,700 feet of stream on the project site, the applicant proposes to construct approximately 2,400 feet of stream and riparian area around the west edge of the property. The existing stream and riparian area is approximately 0.488 acres and the newly created stream and riparian area will be approximately 1.05 acres. This re-routed stream will empty into Mill Creek which is a tributary to Lake Ontario. The newly created stream would vary in width from 10 feet to 20 feet and would be 2 to 3 feet deep. The center portion of the stream would be lined with stone of varying diameters to provide habitat for fish and invertebrates. Pool areas and large boulders in the pool areas are also proposed to provide cover for aquatic species. The banks (riparian areas) will be planted with a wetland seed mixture of shrubs, pussy willow (*Salix discolor*) and silky or red-osier dogwood (*Cornus amomum* or *C. stolonifera*).

c. As mitigation for unavoidable impacts to wetland area No. 3, totalling 0.360 acres, the applicant proposes the purchase of mitigation credits at the "Cornerstone Mitigation Bank" in Chili, New York.

Additionally, the applicant proposes to develop a large retention basin on site to address water quality and flooding in the area. The retention basin will help to mitigate for lost stormwater storage functions of wetland area No. 3. The retention basin will be designed with a wetland fringe and filtering area to help control water received from upstream sources and all on-site runoff. The mitigation bank will mitigate for lost wetland functions and values provided by wetland No. 3. The mitigation bank is located south of Paul Road in Chili, Monroe County, New York. The "Cornerstone Mitigation Bank" has established forested wetland areas available for purchase, and two acres of these wetlands will be purchased by the applicant to mitigate for the 0.360 acres of wetlands impacted on the project site.

d. There is a total of 1.916 acres of wetlands on the project site. In light of the 2001 SWANCC Supreme Court Decision, a visit to the site occurred in April of 2004, and it was determined that two of these wetlands were isolated. Wetland areas No. 1 and No. 4 were isolated totaling 1.068 acres, and determined to not be under the Department of the Army jurisdiction.

The purpose of this project is to construct a shopping center, to be known as the "Towne Center at Webster."

Location and details of the above described work are shown on the attached maps and drawings.

Questions pertaining to the work described in this notice should be directed to Vincent D. Pero, who can be contacted by calling (716) 879-4337, or by e-mail at: vincent.d.pero@usace.army.mil

The following authorization(s) may be required for this project:

Water Quality Certification (or waiver thereof) from the New York State Department of Environmental Conservation.

There are no registered historic properties or properties listed as being eligible for inclusion in the National Register of Historic Places that will be affected by this project.

In addition, available evidence indicates that the proposed work will not affect a species proposed or designated by the U.S. Department of the Interior as threatened or endangered, nor will it affect the critical habitat of any such species.

This notice is promulgated in accordance with Title 33, Code of Federal Regulations, parts 320-330. Any interested party desiring to comment on the work described herein may do so by submitting their comments, in writing, so that they are received no later than 4:30 pm on the expiration date of this notice.

Comments should be sent to the U. S. Army Corps of Engineers, 1776 Niagara Street, Buffalo, New York 14207, and should be marked to the attention of Vincent D. Pero, or by e-mail at: vincent.d.pero@usace.army.mil. A lack of response will be interpreted as meaning that there is no objection to the work as proposed.

Comments submitted in response to this notice will be fully considered during the public interest review for this permit application. All written comments will be made a part of the administrative record which is available to the public under the Freedom of Information Act. The Administrative Record, or portions thereof may also be posted on a Corps of Engineers internet web site. Due to resource limitations, this office will normally not acknowledge the receipt of comments or respond to individual letters of comment.

Any individual may request a public hearing by submitting their written request, stating the specific reasons for holding a hearing, in the same manner and time period as other comments.

Public hearings for the purposes of the Corps permit program will be held when the District Commander determines he can obtain additional information, not available in written comments, that will aid him in the decision making process for this application. A Corps hearing is not a source of information for the general public, nor a forum for the resolution of issues or conflicting points of view (witnesses are not sworn and cross examination is prohibited). Hearings will not be held to obtain information on issues unrelated to the work requiring a permit, such as property ownership, neighbor disputes, or the behavior or actions of the public or applicant on upland property not regulated by the Department of the Army. Information obtained from a public hearing is given no greater weight than that obtained from written comments. Therefore, you should not fail to make timely written comments because a hearing might be held.

The decision to approve or deny this permit request will be based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among these are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

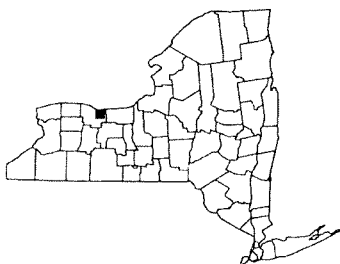
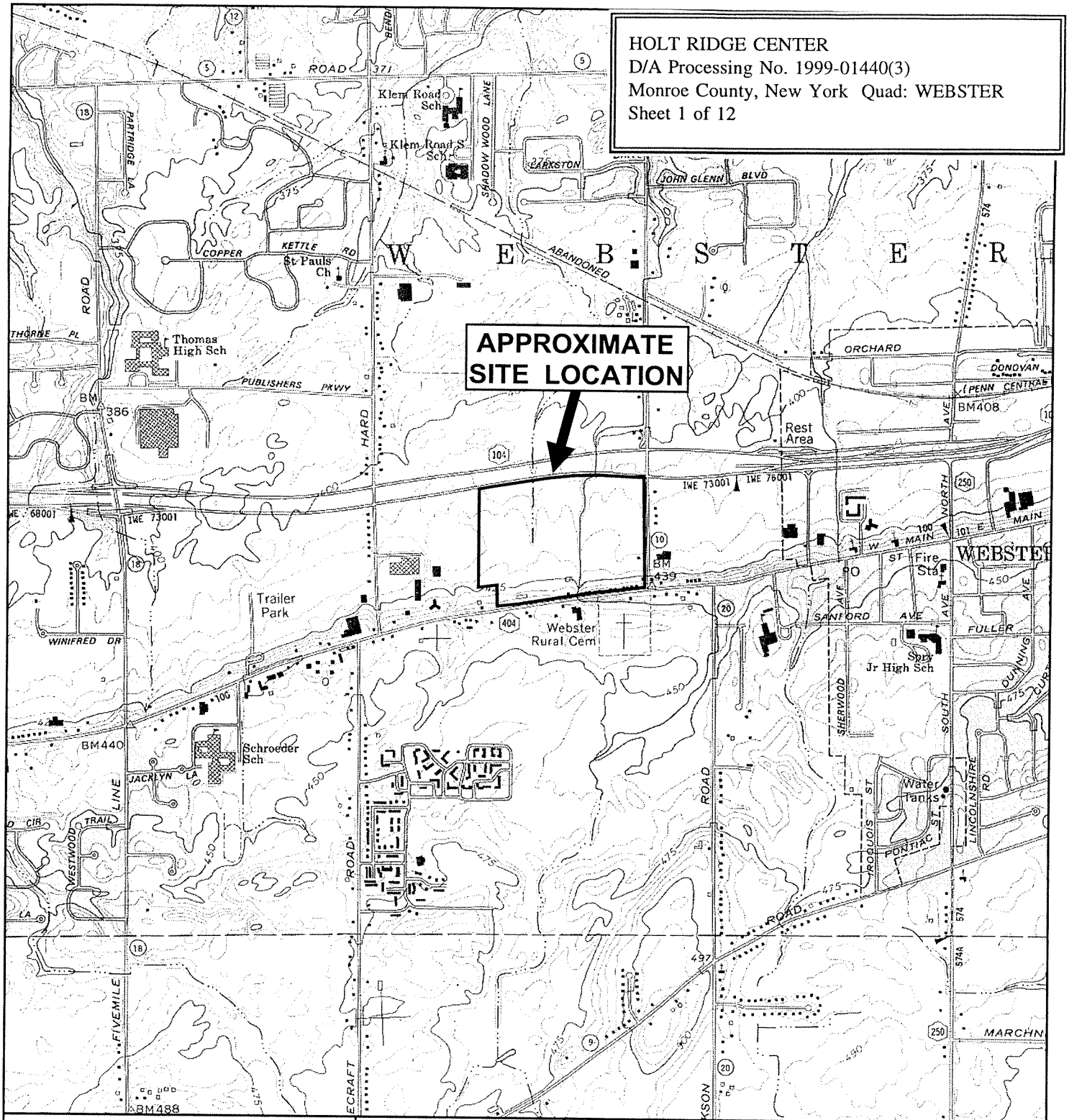
SIGNED

Thomas C. Switala
Chief, Regulatory Branch

NOTICE TO POSTMASTER: It is requested that this notice be posted continuously and conspicuously for 20 days from the date of issuance.

HOLT RIDGE CENTER
D/A Processing No. 1999-01440(3)
Monroe County, New York Quad: WEBSTER
Sheet 1 of 12

APPROXIMATE
SITE LOCATION



QUADRANGLE LOCATION

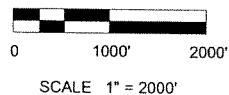
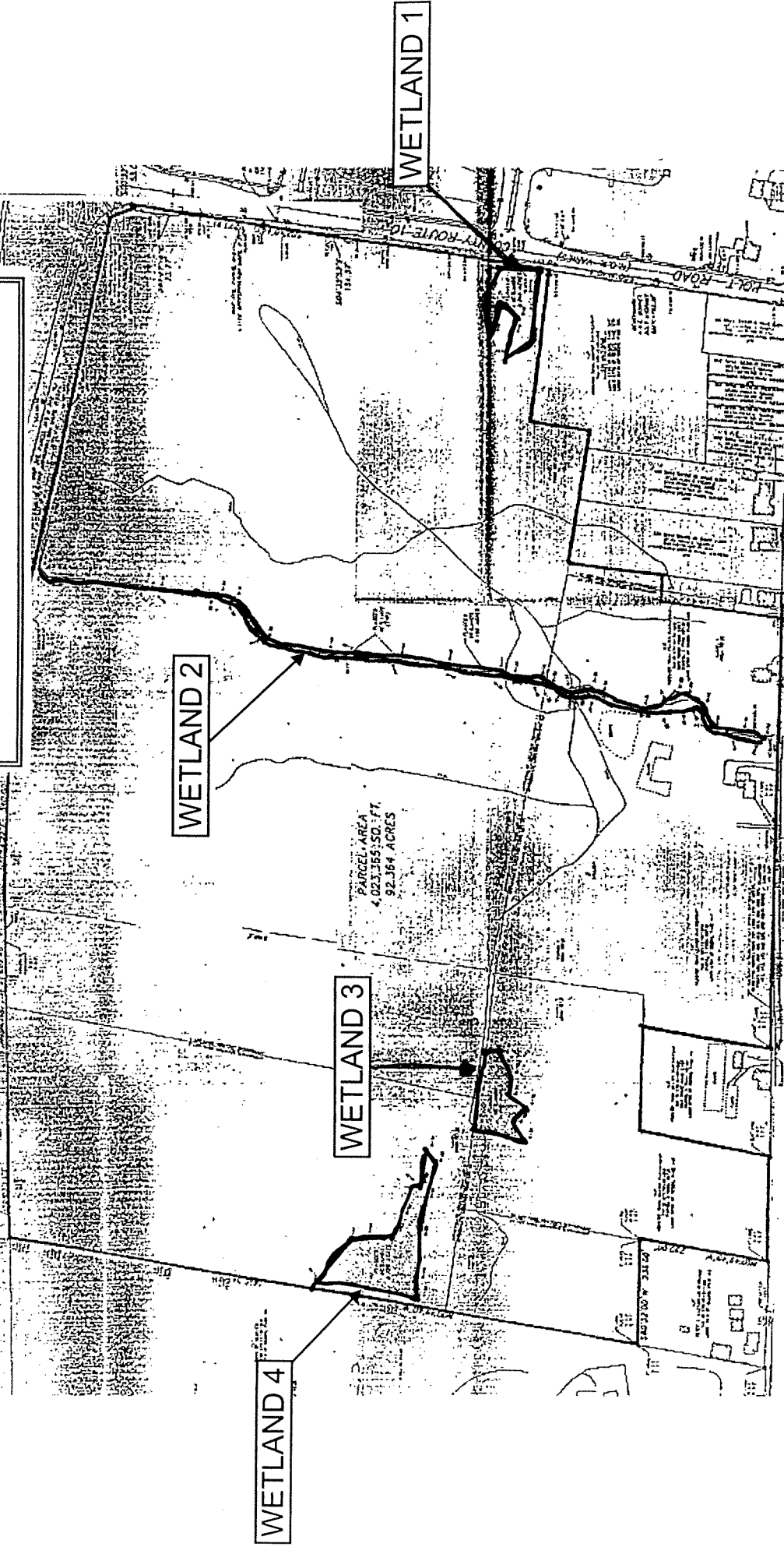


Figure 1. Site Location
NYS DOT Topographic Map

Webster Quadrangle
1980

IDEQUOT-WAYE COUNTY EXPRESSWAY - STATE ROUTE 104

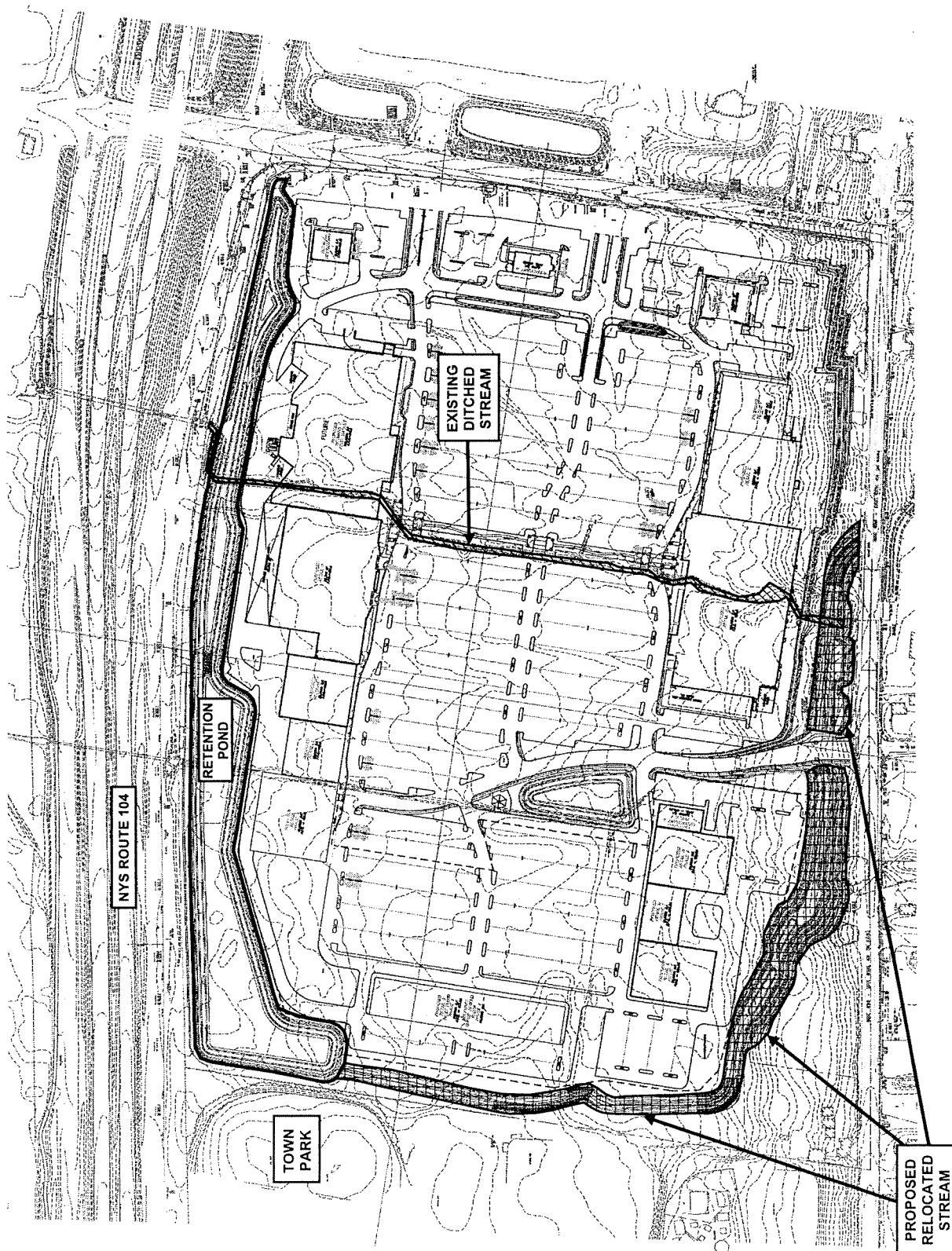
HOLT RIDGE CENTER
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Montroe County, New York Quad: WEBSTER
Sheet 2 of 12



Wetland Boundary Map

Base Figure Obtained from Corps Jurisdictional
Determination Letter and Delineation
Prepared by Earth Dimensions

Figure Prepared by Terrestrial
Environmental Specialists, Inc.



0 125 250'

APPROXIMATE SCALE IN FEET

Base Map Provided by
Bergmann Associates

PROPOSED

Figure 2. Site Plan with Existing and Relocated Stream

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PROPOSED SITE DEVELOPMENT

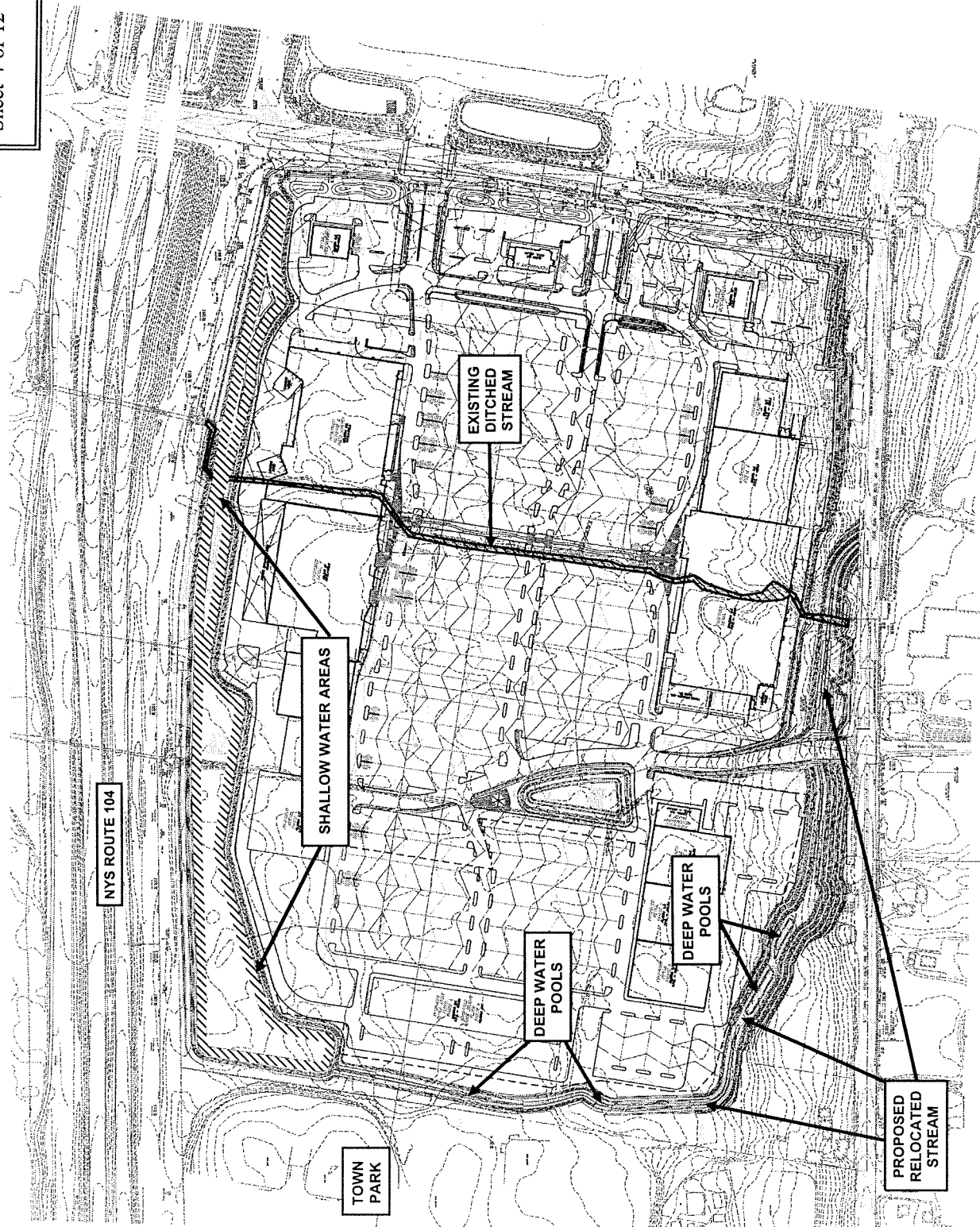
0 125' 250'

APPROXIMATE SCALE IN FEET

Figure Prepared by Terrestrial
Environmental Specialists, Inc.

Base Map Provided by
Bergmann Associates

Figure 3. Grading Plan with Relocated Stream



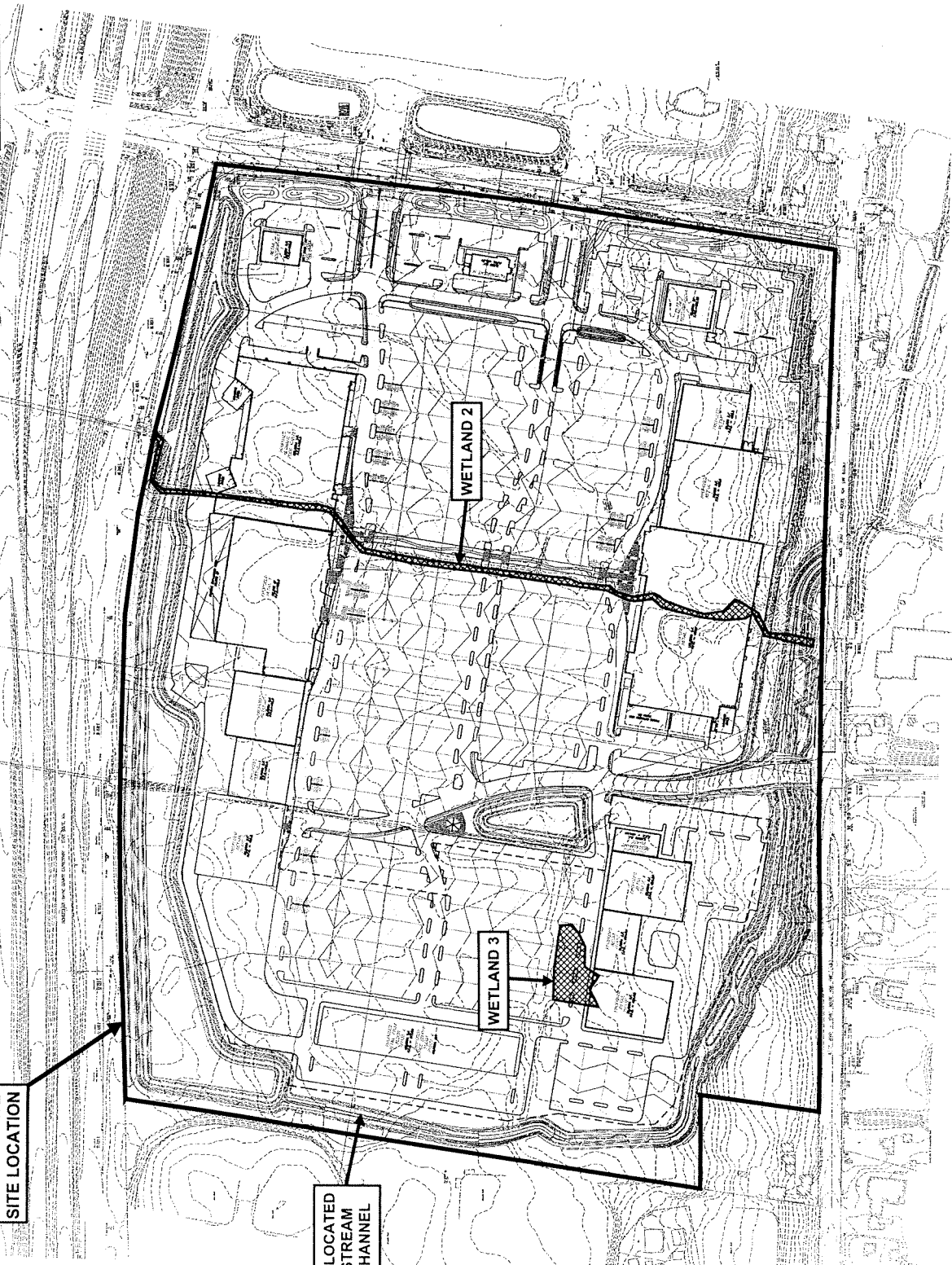
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GRADING Plan

HOLT RIDGE CENTER
D/A Processing No. 1999-01440(3)
Monroe County, New York Quad: WEBSTER
Sheet 5 of 12

APPROXIMATE
SITE LOCATION

RELOCATED
STREAM
CHANNEL



NORTH



0 125 250
APPROXIMATE SCALE IN FEET

Figure Prepared by Terrestrial
Environmental Specialists, Inc.

Base Map Provided by
Bergmann Associates

Location of Wetland

Areas 2 and 3

Towne Center at Webster

TS/1999-01440(3) Wetland Specialist/1999-01440(3) 10/19/99

WETLAND LOCATION - JURISDICTIONAL

HOLT RIDGE CENTER
D/A Processing No. 1999-01440(3)
Monroe County, New York Quad: WEBSTER
Sheet 6 of 12



SITE DATA

1. LOT AREA IS 4,023,385 SQ. FT. OR 92.384 ACRES.
2. PARCEL ID. #079-120-01-019.100
3. EXISTING ZONING IS HC HIGH-INTENSITY COMMERCIAL
4. SETBACK REQUIREMENTS

REQUIRED	PROPOSED
FRONT YARD 150'	150'
REAR YARD 50'	50'
LOT AREA 2 ACRES	92.4 ACRES
LOT COVERAGE 20%	14.03%
5. GREEN SPACE AND OPEN SPACE REQUIREMENTS:

INTERIOR GREEN SPACE (PARKING FIELDS GREATER THAN 250 SPACES)	PCD REQUIREMENTS
PHASE 6 5%	
PHASE 6 37% PROVIDED	
OVERALL LANDSCAPED AREA 10% PROVIDED	
PHASE 6 12%	

	AREAS (S.F.)	GROSS AREAS (S.F.)
1. RETAIL/ MOVIE	76,000	76,000
2. OFFICE	18,000	18,000
3. INDEPENDENT LIVING	82,000	82,000
4. RETAIL/ RESTAURANT	65,000	65,000
5. OFFICE	12,000	12,000
6. RETAIL/ OFFICE	8,000	8,000
7. OFFICE	18,000	18,000
8. RETAIL/ RESTAURANT	30,000	30,000
9. RETAIL/ BANK	3,600	3,600
10. RETAIL/ HOTEL	4,500	4,500
11. RETAIL/ RESTAURANT	2,700	2,700
12. RETAIL/ GAS STATION	12,000	12,000
13. RETAIL	9,600	9,600
14. RETAIL	122,000	122,000
15. RETAIL		
16. RETAIL		
TOTAL	564,900 S.F.	784,900 S.F.

Figure 6.

Mixed-Use Plan,
ALTERNATIVE 1
Holt Ridge Center

TOWN OF WEBSTER



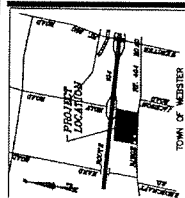
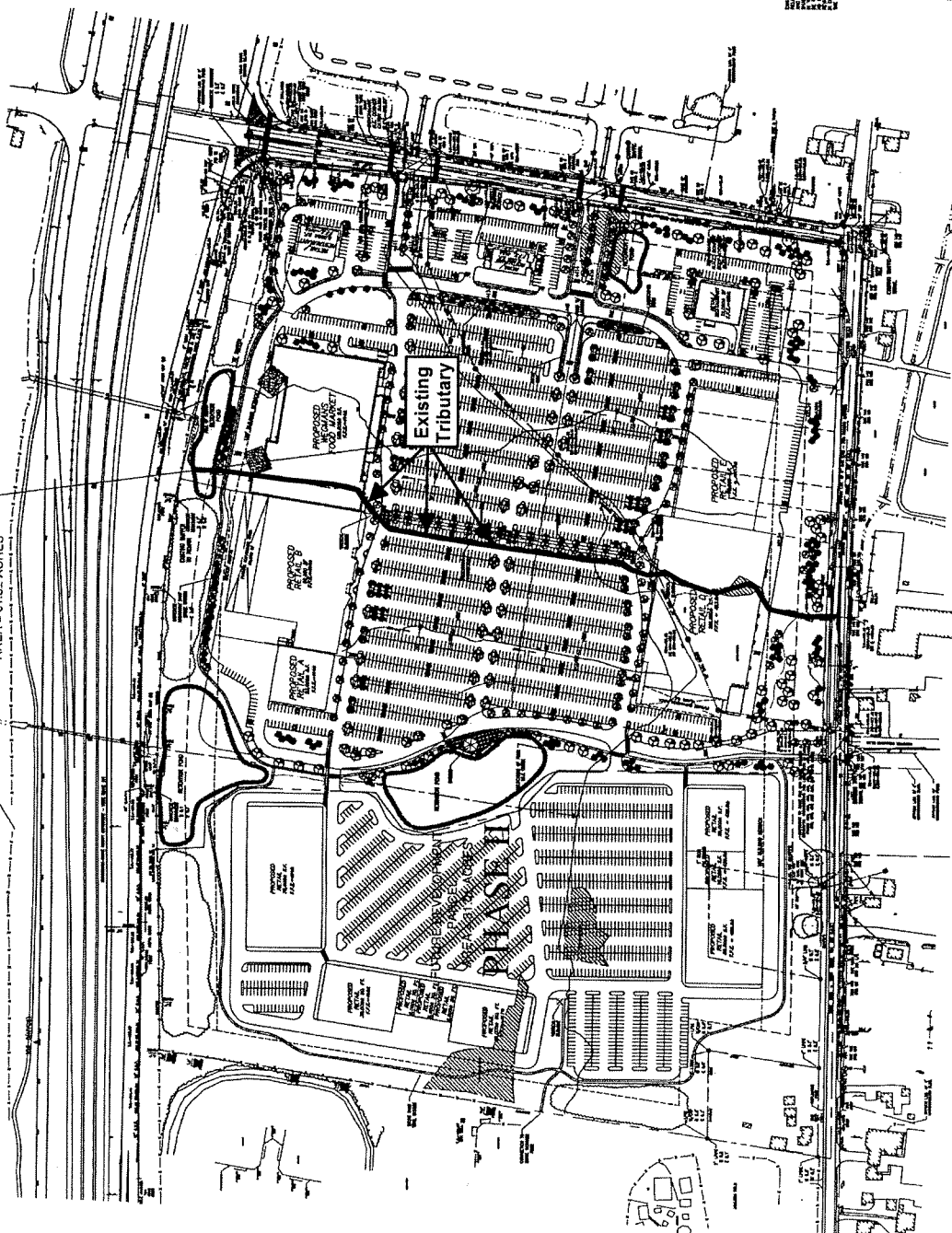
COSTICH ENGINEERING
CITY ENGINEERING
LAND PLANNING
SURVEYING
ENVIRONMENTAL
ARCHITECTURE
REGISTERED PROFESSIONAL ENGINEER
(141) 400-7000

HOLT RIDGE CENTER - DEVELOPMENT PLAN

ALTERNATIVE SITE DEVELOPMENT

SUPERCEDED
BY
FIGURE 2

Monroe County, New York Quad: WEBSTER
Sheet 7 of 12



DATE	TIME	LOCATION	DESCRIPTION	AMOUNT	BALANCE
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10/9/78	10:00	1000	1000	1000	1000
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NAME LESTER

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QUALITY NOTE

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Figure 9.

Base Map Provided by
Bergmann Associates

Figure Prepared by Terrestrial Environmental Specialists, Inc.

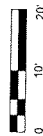
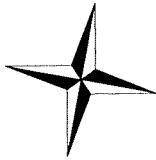
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BY SUPERCEDED
FIGURE 2

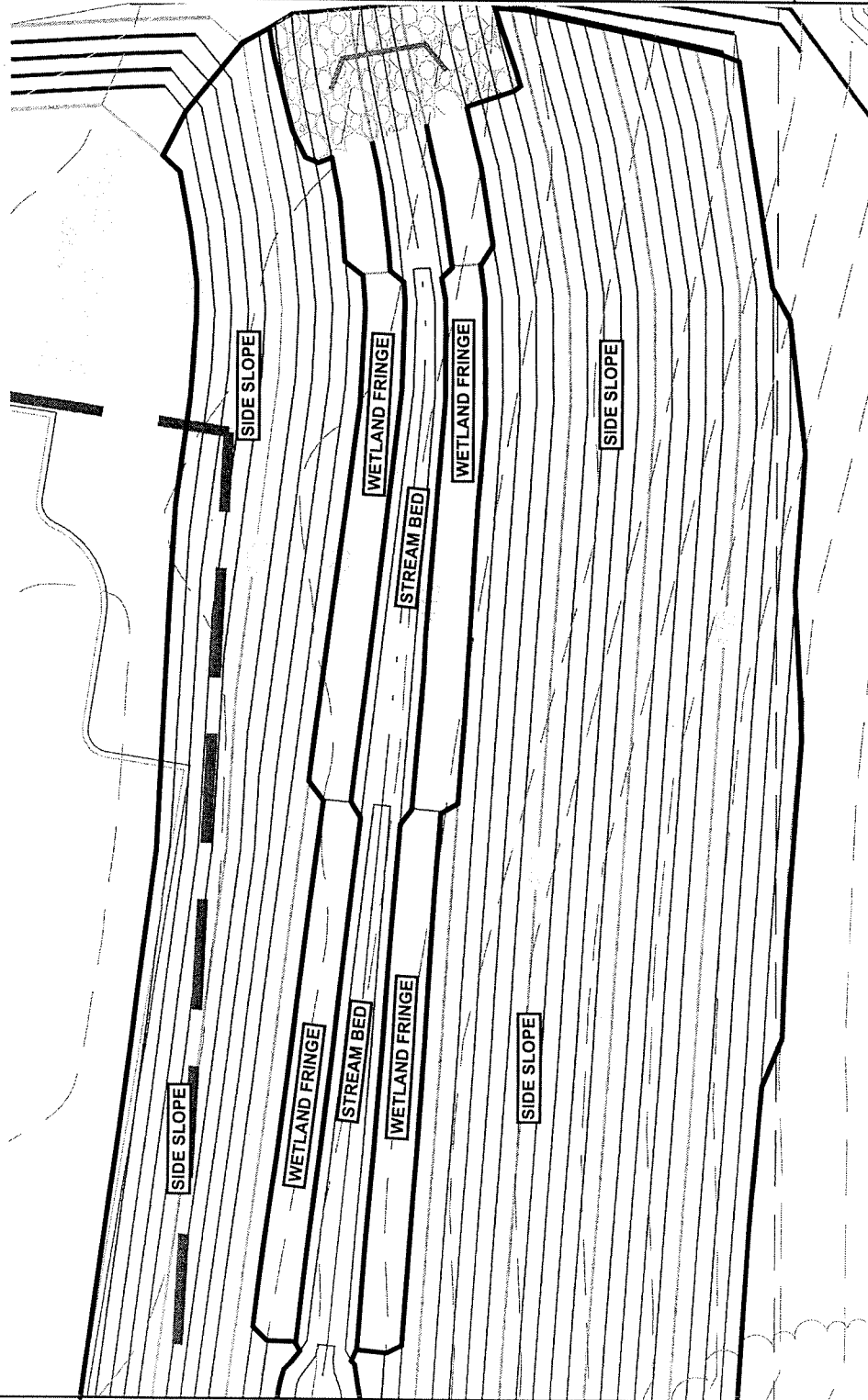
ALTERNATIVE SITE DEVELOPMENT

HOLT RIDGE CENTER
D/A Processing No. 1999-01440(3)
Monroe County, New York Quad: WEBSTER
Sheet 8 of 12

NORTH



APPROXIMATE SCALE IN FEET



Base Map Provided by Bergmann Associates
(From Drawing C111)

Figure Prepared by
Terrestrial Environmental Specialists, Inc.

Figure 4. Representative Plan View of
Relocated Stream

MITIGATION
STREAM PLAN VIEW

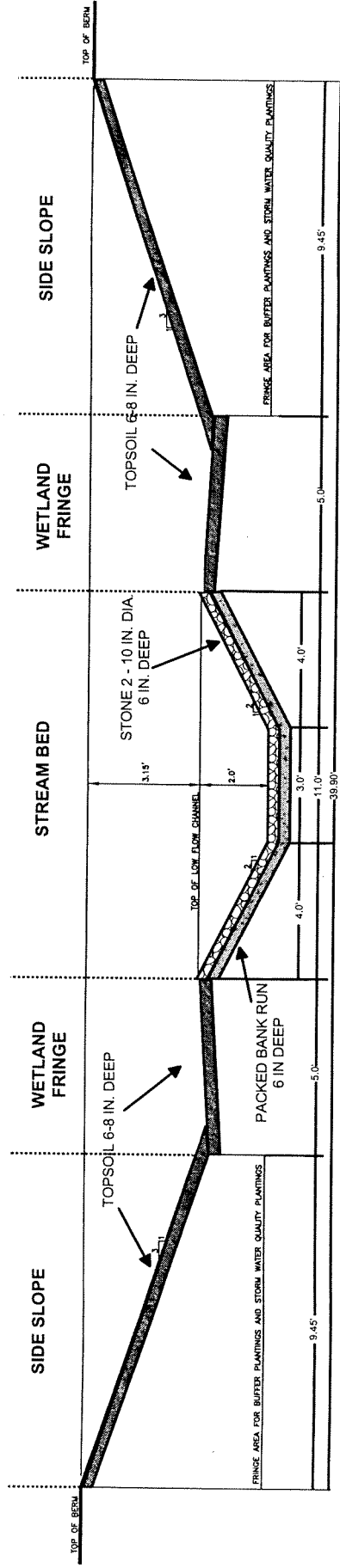


Figure 5.

**Typical Cross-Section Detail
of Re-Created Stream**

Modified from drawing provided by
Bergman Associates

Horizontal Scale: 1 inch = 3 feet

Vertical Scale: 1 inch = 3 feet

Note: See Tables 1, 2, and 3 for Planting Specifications for
Side Slope and Wetland Fringe Areas.

Mitigation
Figure Prepared by: Terrestrial Environmental Specialists, Inc.

STREAM CROSS-SECTION

Footbridge to Town Park West of Towne Center

Boulders

Drop Structure
approx. 1 ft. drop

POOL
2.5 to 3 ft deep

Current

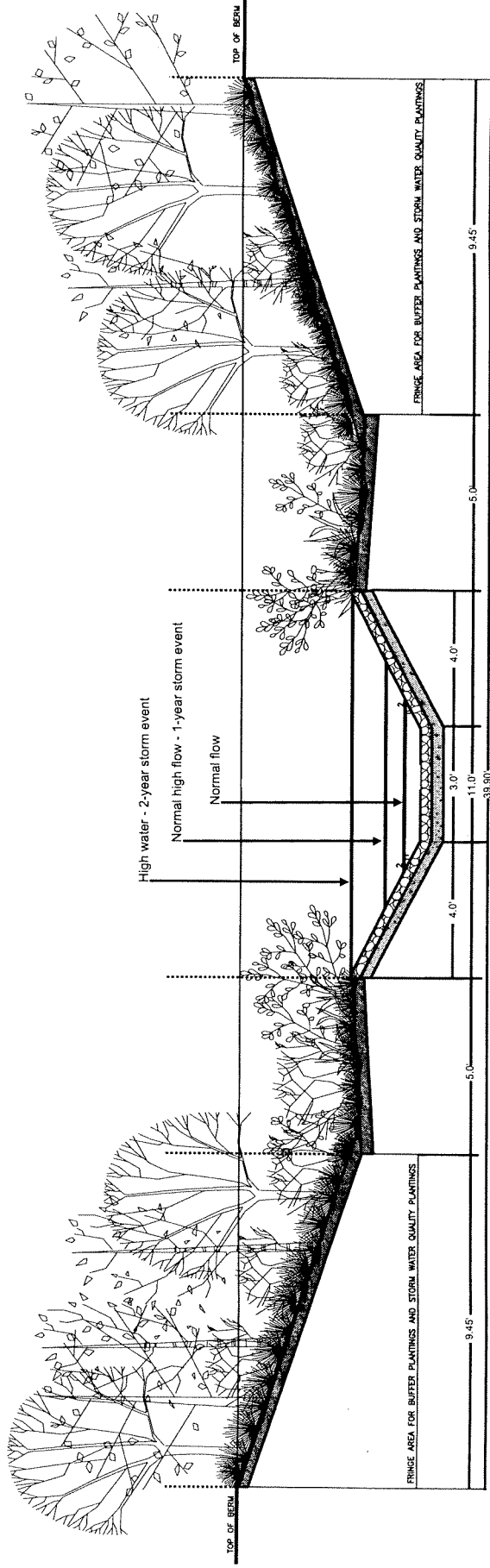
MITIGATION STREAM - PROPOSED POOL DETAIL

Notes: Drop structure can be concrete or timbers.

Boulders can act as deflectors and create habitat
Some of these should be large enough to extend above surface.

Figure 6.

Typical Pool Structure Detail



MITIGATION STREAM RIPARIAN AREA

Figure 7.

Note: See Tables 1, 2, and 3 for Planting Specifications for Side Slope and Wetland Fringe Areas.

Horizontal Scale: 1 inch = 3 feet

Vertical Scale: 1 inch = 3 feet

Vegetation Cross Section

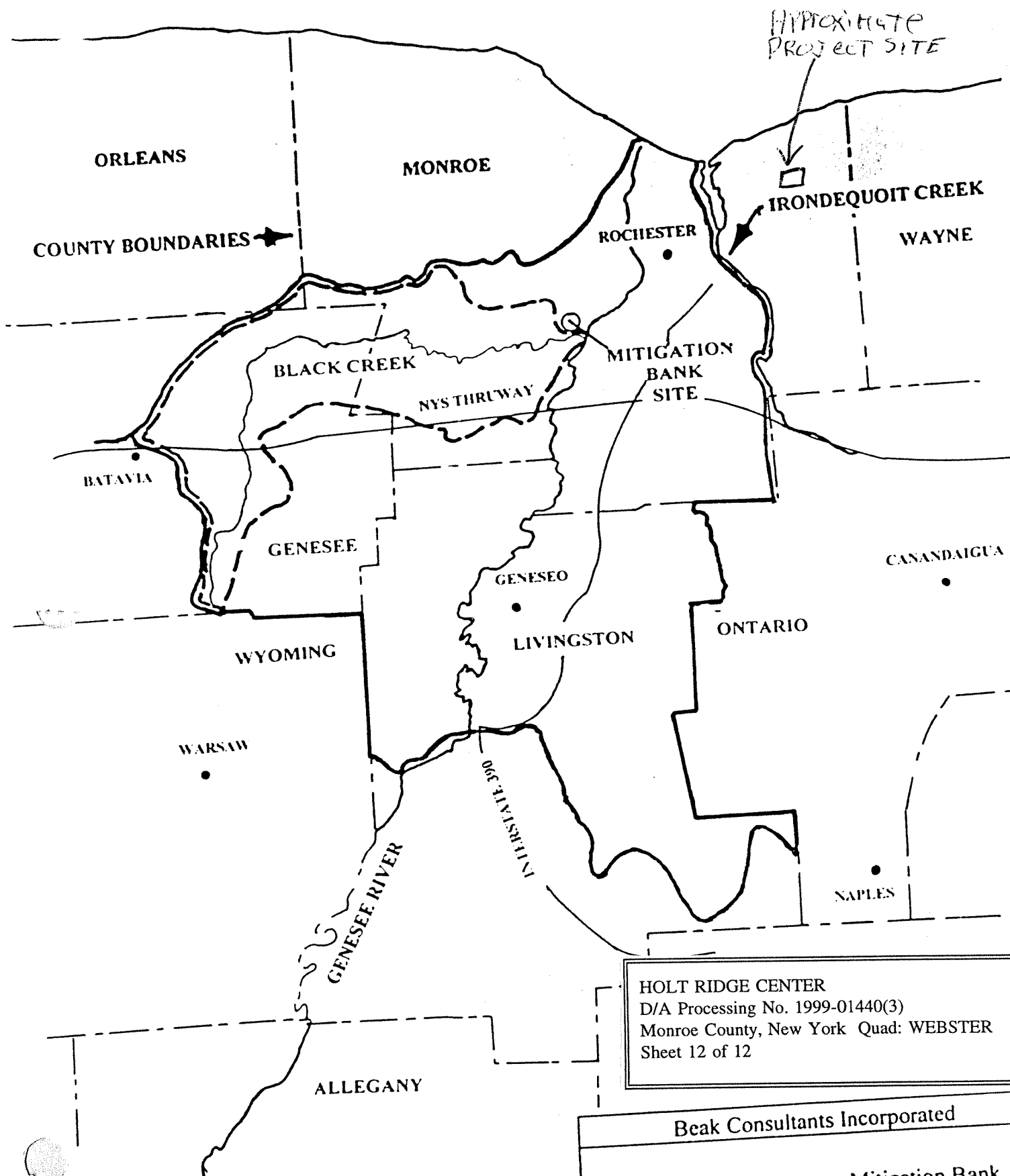
Modified from drawing provided by
Bergman Associates

Figure Prepared by: Terrestrial Environmental Specialists, Inc.

TES File: C:\B-2672\B-2672.dwg Plot Date: 4/23/2003

STREAM RIPARIAN PLANTINGS CROSS SECTION

LOCATION MAP - CHILI MITIGATION BANK
LAKE ONTARIO



HOLT RIDGE CENTER
D/A Processing No. 1999-01440(3)
Monroe County, New York Quad: WEBSTER
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Beak Consultants Incorporated

Rochester Cornerstone Mitigation Bank
Geographic Service Area

Geographic Service Area
Northern Genesee R. Watershed Boundary
Black Creek Watershed Boundary